

UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

|                               |                               |
|-------------------------------|-------------------------------|
| NANCY GRACE RITSICK,          | :                             |
|                               | :                             |
| Plaintiff,                    | : 3:18-CV-385                 |
|                               | :                             |
| v.                            | : (JUDGE MARIANI)             |
|                               | : (Magistrate Judge Arbuckle) |
|                               | :                             |
| ANDREW SAUL, Commissioner of  | :                             |
| Social Security, <sup>1</sup> | :                             |
|                               | :                             |
| Defendant.                    | :                             |

ORDER

AND NOW, THIS 27TH DAY OF APRIL 2020, upon review of Magistrate Judge Arbuckle's Report and Recommendation ("R&R") (Doc. 43) for clear error or manifest injustice,

IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. 43) is **ADOPTED** for the reasons set forth therein;
2. The Commissioner of Social Security's decision is **VACATED**;
3. The case is **REMANDED** to the Commissioner to conduct a new administrative hearing before a constitutionally appointed ALJ other than the ALJ who presided over Plaintiff's first hearing;
4. Judgment is entered in favor of Plaintiff and against the Commissioner of Social Security.
5. The Clerk of Court is directed to **CLOSE** this case.

s/ Robert D. Mariani  
Robert D. Mariani  
United States District Judge

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<sup>1</sup> Pursuant to Federal Rule of Civil Procedure 25(d), Andrew Saul, the current Commissioner of Social Security, replaces former Commissioner Nancy A. Berryhill as the Defendant to this action.